

Owaiian M. Jones 1422997
Rappahannock Regional Jail
PO Box 3300
Stafford, VA 22555-3300

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

**Owailan M. Jones,
Plaintiff,**

v.

**George Mason University, et al.,
Defendants.**

1:15cv9 (GBL/MSN)

ORDER

This matter comes before the Court upon initial review of plaintiff's complaint. Owailan M. Jones, a Virginia inmate proceeding pro se, has filed a civil rights action, pursuant to 42 U.S.C. § 1983.¹ The instant case is one of at least fifty filed over the past several months. Plaintiff has neither applied to proceed in forma pauperis nor paid the required filing fee.

Section 1915(g) prohibits a prisoner from proceeding in forma pauperis in a civil action or appealing a judgment in a civil action if “the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

After reviewing the record of plaintiff's prior litigation in this district, this Court finds that plaintiff has filed more than three civil actions which have been dismissed for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b)(1). See Jones v.

Adcock et al., Case No. 1:14cv1435 (LMB/TRJ) (dismissed for failure to state a claim on Nov. 5,

¹ Plaintiff also requests a writ of mandamus and injunctive relief.

2014); Jones v. Congress of the United States of America et al., Case No. 1:14cv1436 (LMB/TCB) (dismissed as frivolous on Nov. 5, 2014); Jones v. Olsen et al., Case No. 1:14cv1437 (LMB/IDD) (dismissed for failure to state a claim on Nov. 5, 2014); Jones v. McAuliff et al., Case No. 1:14cv1440 (LMB/TCB) (dismissed as frivolous on Nov. 5, 2014); Jones v. Obama, Case No. 1:14cv1441 (LMB/TCB) (dismissed as frivolous on Nov. 6, 2014); Jones v. Supreme Court of Virginia et al., Case No. 1:14cv1442 (LMB/JFA) (dismissed as frivolous on Nov. 5, 2014).² Pursuant to 28 U.S.C. § 1915(g), plaintiff is barred from filing a civil action unless he prepays the \$350.00 filing fee or applies to proceed in forma pauperis and alleges facts demonstrating that he is in imminent danger of physical harm. Plaintiff has not prepaid the filing fee, and nothing in plaintiff's current complaint, alleging that various universities have discriminated against him on the basis of his race and disability, plausibly alleges a situation that would place him in imminent danger of serious physical harm.

Accordingly, it is hereby

ORDERED that this action be and is DISMISSED WITHOUT PREJUDICE, pursuant to 28 U.S.C. § 1915(g), for failure to pay the full statutory filing fee of \$350.00. Should plaintiff submit the full filing fee, as well as the \$50.00 administrative fee, within thirty (30) days of this Order, the Clerk shall reopen this action.

To appeal this decision, plaintiff must file a written notice of appeal with the Clerk's Office within thirty (30) days of the entry of this Order. See Fed. R. App. P. 4(a). A written notice of appeal is a short statement stating a desire to appeal this Order and noting the date of

² Plaintiff has three pending cases in this Court, Jones v. Rappahannock Regional Jail et al., Case No. 1:14cv1150 (LMB/TCB), Jones v. Does et al., Case No. 1:14cv1566 (LMB/JFA), and Jones v. Rappahannock Regional Jail et al., Case No. 1:14cv1467 (LMB/TCB). The Court has dismissed numerous other complaints without prejudice, for failing to pay the filing fee, pursuant

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the Order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the Court. Failure to timely file a notice of appeal waives the right to appeal this decision.

The Clerk is directed to send a copy of this Order to plaintiff and to close this civil action.

Entered this 30th day of Mar 2015.

/s/
Gerald Bruce Lee
United States District Judge

Alexandria, Virginia

to 28 U.S.C. § 1915(g).

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U.S. District Court

Eastern District of Virginia -

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Case Name: Jones v. George Mason University et al

Case Number: 1:15-cv-00009-GBL-MSN

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ORDER. Accordingly, it is hereby ORDERED that this action be and is DISMISSED WITHOUT PREJUDICE, pursuant to 28 U.S.C. n 1915(g), for failure to pay the full statutory filing fee of \$350.00. Should petitioner submit the full filing fee, as well as the \$50.00 administrative fee within thirty (30) days of this Order, the Clerk shall reopen this action. (See Order For Details). Signed by District Judge Gerald Bruce Lee on 3/30/15. (Copy Mailed 3/31/15)(nhall)

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